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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,252	12/01/2003	Arthur E. Sheiman	42339-198343	1610
26694	7590	01/17/2007	EXAMINER	
VENABLE LLP			HUANG, WEN WU	
P.O. BOX 34385			ART UNIT	
WASHINGTON, DC 20043-9998			PAPER NUMBER	
			2618	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/17/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/724,252	SHEIMAN, ARTHUR E.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Wen W. Huang	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2618

### DETAILED ACTION

Claims 1-19 are pending.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al. (US. 5,442,811; hereinafter "Kobayashi")

Regarding **claim 1**, Kobayashi teaches an apparatus, comprising: a transmit/receive switch (see Kobayashi, fig. 8, component 4) adapted to leak sufficient energy to a receiver during transmission (see Kobayashi, col. 14, lines 45-52) such that the receiver is able to correctly demodulate a transmitted signal (see Kobayashi, col. 14, lines 9-12).

Regarding **claim 2**, Kobayashi also teaches the apparatus according to claim 1, wherein the transmit/receive switch is further adapted to prevent an amount of energy leaked to said receiver from being sufficient to overload the receiver (see Kobayashi, fig. 8, component 3; col. 14, lines 45-52).

Regarding **claim 3**, Kobayashi also teaches the apparatus according to claim 1, wherein the transmit/receive switch comprises: a switch selectively coupled to a transmit output and a receive input (see Kobayashi, fig. 9, components 4 and 68; col. 14, lines 45-52), said switch comprising a parasitic impedance between said transmit output and said receive input (see Kobayashi, fig. 10 and 11; col. 14, line 65 – col. 15, line 6).

Regarding **claim 4**, Kobayashi also teaches the apparatus according to claim 3, wherein the transmit/receive switch further comprises: another leakage path between said transmit output and said receive input (see Kobayashi, fig. 7, component 6; col. 14, lines 13-15 and 35-43).

Regarding **claim 5**, Kobayashi also teaches the apparatus according to claim 4, wherein said another leakage path comprises an impedance (see Kobayashi, fig. 7, component 61; col. 14, lines 13-15).

Regarding **claim 6**, Kobayashi also teaches the apparatus according to claim 3, wherein said switch comprises at least one of a manual switch, an electromechanical relay, a transistor switch, and a PIN diode (see Kobayashi, fig. 10 and 11; col. 14, line 65 – col. 15, line 6).

Art Unit: 2618

Regarding **claim 7**, Kobayashi teaches a system (see Kobayashi, fig. 8), comprising:

a transmitter (see Kobayashi, fig. 8, components 100 and 1);

a receiver (see Kobayashi, fig. 8, components 100 and 5); and

a transmit/receive switch (see Kobayashi, fig. 8, component 4), coupled to said transmitter and to said receiver and adapted to leak sufficient energy to said receiver during transmission by said transmitter (see Kobayashi, col. 14, lines 45-52) such that said receiver is able to correctly demodulate a signal transmitted by said transmitter (see Kobayashi, col. 14, lines 9-12).

Regarding **claims 8, 10-12 and 14**, the dependent claims are interpreted and rejected for the same reasons as set forth above in claims 2-6, respectively above.

Regarding **claim 9**, Kobayashi also teaches the system according to claim 7, further comprising: an antenna used by both said transmitter and said receiver and coupled to said transmit/receive switch (see Kobayashi, fig. 8, component 203).

Regarding **claim 13**, Kobayashi also teaches the system according to claim 12, wherein said impedance is greater than an input impedance of said receiver (see Kobayashi, fig. 10 and 11; col. 14, line 65 – col. 15, line 6).

Regarding **claim 15**, Kobayashi also teaches the system according to claim 7, wherein a signal demodulated by said receiver during transmission by said transmitter is fed back to said transmitter (see Kobayashi; col. 14, lines 9-12).

Regarding **claim 16**, Kobayashi also teaches the system according to claim 15, wherein said transmitter is adapted to use said signal demodulated by said receiver during transmission by said transmitter to perform at least one of linearization and self-diagnostics (see Kobayashi, col. 3, lines 42-45; col. 9, lines 42-45).

Regarding **claim 17**, Kobayashi teaches a method, comprising: providing a transmit/receive switch (see Kobayashi, fig. 8, component 4) adapted to leak sufficient energy to a receiver during transmission (see Kobayashi, col. 14, lines 45-52) such that the receiver is able to correctly demodulate a transmitted signal (see Kobayashi, col. 14, lines 9-12).

Regarding **claim 18**, the dependent claim is interpreted and rejected for the same reason as set forth above in claim 2.

Regarding **claim 19**, Kobayashi also teaches the method according to claim 17, further comprising: providing a transmitter adapted to be coupled to said transmit/receive switch (see Kobayashi, fig. 8, components 100 and 1); and providing a

Art Unit: 2618

receiver adapted to be coupled to said transmit/receive switch (see Kobayashi, fig. 8; components 100 and 5).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen W. Huang whose telephone number is (571) 272-7852. The examiner can normally be reached on 10am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wwh



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LANA LE  
PRIMARY EXAMINER